

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jan Andersson ) Attorney Docket No. 911568635006  
Application No.: 09/381,899 )  
Filed: December 16, 1999 )  
For: METHOD AND APPARATUS )  
FOR AUTOMATIC DATA )  
ACQUISITION OF FORMS )  
Examiner: Bashore, William L. )  
Art Unit: 2176 )  
Confirmation No.: 4564 )

REMARKS

New claim 55 has been added to the application so that claims 2, 4, 5, 8-10, 13-15, 18, 19, 21, 22, 25-27, 30-32 and 41-55 are now pending in the application. Claims 41, 45, 49, 50, 51, 53, 54 and 55 are independent claims.

The undersigned thanks the Examiner for the opportunity he provided the undersigned to discuss the last Office Action. The descriptions and contentions provided by the undersigned in response to the next earlier Office Action are incorporated here by reference.

Claim 53 stands rejected under section 112 first paragraph and second paragraph because of the use of the term "fixed forms". This term is part of a negative limitation, namely, "in the absence of fixed forms". The term "fixed forms" has been taken from one of the cited references Suzuki et al. Patent No. 4,933,979, column 2, lines 27, 34 and 40.

In view of the fact that the term "fixed forms" is used in one of the cited references, it is contended that one skilled in the art would understand the term in Claim 53 as a negative

definition relating to the adaptive feature of the invention even though the exact words, "fixed forms", are not found in the written description.

Claims 2, 4, 5, 8-10, 13-15, 18, 19, 21, 22, 25-27, 30-32 and 41-54 also have been rejected under section 103 based variously on Pizano et al. U.S. 5,293,429 in view of Karnin et al. U.S. 5,434,933 and further in view of Suzuki et al. This rejection is respectfully traversed.

As discussed with the Examiner, the present invention is an adoptive method and apparatus for reading a batch of documents, such as monthly invoices from a company's suppliers. The formatting of these invoices is chosen by these third party suppliers, and the invoice documents may either be new because a supplier is new or new formatting is used by a supplier, or the invoice format has been presented in previous months, and thus is not new. The method and apparatus of the invention automatically identifies an invoice, new or old, and then extracts and stores relevant data or while processing is progressing. Documents not previously identified by the system are adaptively identified, the identity is saved and, thereafter, data is extracted and stored.

The cited art, Pizano and Karnin, teaches methods of classifying documents strictly as a function of preprocessing and preloaded templates. A document that has not been identified with a preloaded template cannot be classified until a new template is entered manually by an operator. In Pizano and Karnin, no data content from the documents is read or stored. The present inventive system does not require templates.

The cited art, Suzuki, discloses a data reading apparatus but only if the data is placed on a predetermined "fixed form", so that the system knows where to look for data. If the data comes into the system on another form, the document cannot be handled without operator intervention. The present invention is adaptive so that fixed forms are not required.

In conclusion, it is contended that there is no teaching or motivation disclosed in any of the cited references that they be combined. Secondly, there is no teaching or suggestion of applicants' adaptive invention as claimed, even if all of the cited references are combined. For these reasons, the Examiner is respectfully requested to reconsider the rejections of the above mentioned claims and pass the application to allowance.

Dated: April 22, 2005

Respectfully submitted,

Joseph H. Golant / jh

Joseph H. Golant

Reg. No. 24,210

JONES DAY

77 West Wacker Drive

Chicago, Illinois 60601-1692

(312) 269-1534

jhgolant@jonesday.com